

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMAUD JAMAL RICE, #741949,

Petitioner,

v.

CASE NO. 5:14-CV-13786
HON. JOHN CORBETT O'MEARA

RANDALL HAAS,

Respondent.

ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION

This matter is before the Court on Petitioner's motion for reconsideration concerning the Court's October 8, 2014 non-prejudicial dismissal of his petition for a writ of habeas corpus for failure to exhaust state court remedies. The Court also denied a certificate of appealability and denied leave to proceed *in forma pauperis* on appeal.

Having reviewed the matter, the Court finds no reason to reconsider its decision. A motion for reconsideration which presents issues already ruled upon by the court, either expressly or by reasonable implication, will not be granted. *See Hence v. Smith*, 49 F. Supp. 2d 547, 550 (E.D. Mich. 1999); *Czajkowski v. Tindall & Assoc., P.C.*, 967 F. Supp. 951, 952 (E.D. Mich. 1997). Petitioner has not met his burden of showing a palpable defect by which the Court has been misled or his burden of showing that a different disposition must result from a correction thereof, as required by Local Rule 7.1(h)(3). The Court properly dismissed the petition on exhaustion grounds. The Court also properly denied a certificate of appealability and denied leave to proceed *in forma pauperis* on appeal.

Accordingly, the Court **DENIES** Petitioner's motion for reconsideration. This case remains

closed.

IT IS SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: October 20, 2014

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 20, 2014, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager